(43)

Civil (Confl)

App. F. IX-4

1936-37

File No. 32 of 30-31

Previous References ( )

Serial Nos. 1 to 7

Later References

(56)

General and Revenue Secretariat.

Serial Nos. 1 to 7

Part B for

SUBJECT.

Withdrawal of cases in the First Bangalore disturbance cases

Papers re:- withdrawal of cases in the First Bangalore disturbance cases

Law - Confl

B

Office of the Dewan of Mysore,

NOTE.

Dated 19th December *1928*

As a result of the investigations made by Mr. C. Machin, the additional District Magistrate, into the offences alleged to have been committed by certain persons of both the Hindu and Mussalman communities in connection with the disturbances of July last, ~~eight~~ ten prosecutions have been launched and the cases are now pending in varying stages in the Court of the City Magistrate, Bangalore.

While on the one hand, it is imperative that the real offenders should be brought to book and for that purpose the criminal trial of these cases should be allowed to take its normal course, the larger interests of the State demand that the present state of communal tension and animosity should be put an end to in order to restore peace, harmony and goodwill, without which it is not easy to carry on smoothly the administration of the State. This can be achieved in one of two ways :-

Firstly, by continuing all the prosecutions through all the stages of the trial, until termination - whether of discharge, acquittal or conviction - is finally reached; and in the case of conviction, suspend or remit or commute the sentences as the case may be; or

Secondly, by the exercise of the discretion vested in Government, direct the withdrawal of the prosecutions if it is necessary and expedient in the larger interests of the State.

The adoption of the first course will protract matters for an undue length of time and might not possibly be conducive in the end to the achievement of the object in view, I am, therefore, in favour of the latter course for the following among other reasons :-

The Government prosecutions unnecessarily keep up public controversy and excitement and present a coloured and unwholesome picture of the real local condition to people dn and

outside ~~of~~ the State. They take up also a good portion of the time of public officers - Police, Judicial and others - to the neglect and detriment of their normal duties, and tend to perpetuate communal feelings and factious spirit among the people. Now that there are signs of relaxation in public tension and the aggrieved parties have themselves resorted to courts for the redress of their grievances, it is time for the State to withdraw their prosecutions of more or less unimportant persons, who perhaps in the heat of the moment may have committed excesses, and thus pave the way for mutual amicable settlement, of their own accord, of the differences amongst the persons concerned, and for the creation of a calmer atmosphere for the purpose.

From what I have gathered in personal conversations, I understand that the evidence in most of the Police cases now pending in court is conflicting and not strong enough to sustain the charges, and I fear that failure in the prosecution will not redound to the credit of the authorities. I am, therefore, in favour of a gesture of peace by withdrawal of all State prosecutions.

So far as the cases against the Mussalmans are concerned, Government need not move until the accused persons express regret and ask for pardon, promising to behave well and peacably in future.

The steps now proposed are really necessary at this stage, as, without such withdrawal, Government cannot well deal with the points raised in the Visvesvaraya Committee's Report, for their conclusion can neither be published nor dealt with effectively while the same matters are pending in the courts for adjudication.

Bangalore,
19th December 1928.

M S

D E W A N.

CONFIDENTIAL.

Office of the Dewan of Mysore,

NOTE.

Dated 19th December 1928.

M E M O.

It has been suggested that with a view to the early restoration of peace and harmony Government might withdraw the prosecutions that have been instituted against the Hindus and Mussalmans. There are now before the Courts three classes of cases :-

(1) Against the Hindus,
(2) Against the Mussalmans } for rioting and certain other connected offences,

(3) Against H.V. Subramanyam and others for the more serious offence under sec. 153 A. I.P.C.

I am myself inclined to think that cases against (1) and (2) above may desirably be withdrawn.

I shall be obliged if the Members of Council will favour me with an expression of their views for submission to His Highness.

DEWAN.

1st, 2nd & 3rd Members of Council. with compliments.

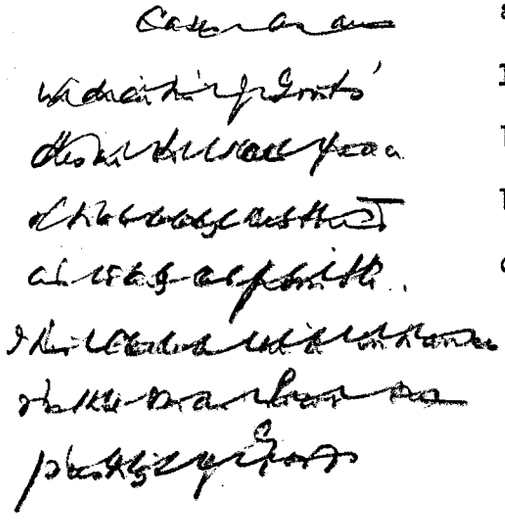
CONFIDENTIAL.

I am generally averse from Government interfering at any stage with the normal course of cases before the Criminal Courts; but in view of the situation brought about by the recent disturbances in Bangalore, I would heartily support any measures calculated to close this unfortunate episode and restore peace and harmony all round.

The withdrawal of the cases referred to in the Dewan's minute, however, may not, I fear, ensure this result. The cases are those taken cognisance of by the additional District Magistrate and transferred to the City Magistrate, and relate to rioting and individual assaults. In addition to these, there are private cases instituted on complaint by various people. When the Government cases are withdrawn, is there any assurance that the other cases would also be withdrawn? If not, the sores will remain open and not be healed and peace and harmony will not have been restored. We should, without securing the object in view, have rendered ourselves open to the criticism of nullifying the proceedings of the additional District Magistrate.

Peace and harmony cannot be brought about only by the action of Government. The desire for peace and harmony must proceed chiefly from the two sides concerned. In Davangere, the Hindus and Mahamadans concerned held meetings, settled their differences and sent joint petitions to the authorities to drop the prosecutions. In Bangalore I am not aware of such a temper having been shown or such action taken by any one. Let mutual friends intercede between the parties concerned and bring

about an atmosphere favourable to peace and harmony and advise the parties to compose their differences and drop all further hostilities and recrimination. Let us get assurances that private cases also will be withdrawn. That would, in my humble opinion, be the time when Government might withdraw the cases.



Gandhi

19-12-28

CONFIDENTIAL.

Office of the Dewan of Mysore,

NOTE.

Dated.....19th December.....*1928*.

M E M O.

It has been suggested that with a view to the early restoration of peace and harmony Government might withdraw the prosecutions that have been instituted against the Hindus and Mussalmans. There are now before the Courts three classes of cases :-

(1) Against the Hindus,
(2) Against the Mussalmans } for rioting and certain other connected offences.

& (3) Against H.V. Subramanyam and others for the more serious offence under sec. 153 A. I.P.C.

I am myself inclined to think that cases against (1) and (2) above may desirably be withdrawn.

I shall be obliged if the Members of Council will favour me with an expression of their views for submission to His Highness.

DEWAN.

1st Member of Council, with compliments.

I would withdraw all the three Cases. I think no exception should be made of Case No 3.

19-12-28

General and Revenue Secretariat. | File No. of 192

Serial No.

CONFIDENTIAL.

I would certainly agree to the withdrawal of all these cases, if there was any guarantee that such a step would ensure the early restoration of peace and harmony between the communities concerned. I am not aware that there is abroad any general feeling of regret for the acts and excesses that marked the recent disturbances. There is nothing to show that the leaders on both sides, and much less the general rank and file, realise the blunder of such disturbances and feel with any sincerity the need for mutual peace, toleration and goodwill in the future.

Till such a feeling grows and permeates the bulk of the people concerned, I think that the duty of Government is first and foremost to hold the balance of justice even and to enforce proper respect for law and order.

After due enquiry by a qualified magistrate it has been considered that certain persons have committed offences against the law and further proceedings are in various stages of progress against such persons in the Courts. It may be that some of these cases may result in the conviction of the accused persons and some may end in acquittal or discharge, according as the responsible courts of justice evaluate the

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

General and Revenue Secretariat. | File No. of 192 .

Serial No.

the evidence adduced in the cases. If the lower Courts make mistakes they will be set right by the higher Courts on appeal and revision in due course.

It would, in my view, be a most unusual course for the executive Government to step in while the cases are still under trial and withdraw them, except in the interests of a general pacification, of which however, as I have said already, I see no signs.

In Davangere where there was recently a communal disturbance, the parties and their leaders came together and effected a general compromise and mutual good understanding, and on their united request all criminal cases connected with the affair were withdrawn.

In connection with the Bangalore disturbances some cases against students were withdrawn a short time ago, but, in my opinion, the considerations, that existed in those cases, do not apply to the present cases against adult men who were fully aware of what they were doing and responsible for their acts.

In the circumstances, I am not in favour of withdrawing the cases as suggested

19 Dec^{r} 28. C S Balasundaramayya

NOTE—Contn. sheet.

WD 0324—GPB—60,000—24-5-27

Confidential

GB2582

THE PALACE,

MYSORE.

29th December 1928

My dear Mirza,

I am desired by His Highness the Maharaja to return herewith the Minutes of yourself and the Members of Council on the subject of the withdrawal of prosecutions in the three classes of cases now pending in the courts in connection with the recent disturbances, and to say that His Highness desires that you should follow your own judgment in the matter.

Yours sincerely,

C. Secy

I have come to the conclusion that in case against the Station Master also be withdrawn the case against the Mussalmans need not be interfered with. The Asst. Magistrate should be asked to instruct the Pub. Prosecutor. So that intimation may be given to the Magistrate (Hyd) and the parties concerned, the case being formally withdrawn on the 2nd when the Court re-opens. Public Prosecutor may pursue an application to the Court in the following form:—

DEWAN'S MINUTE.

FILE No. 192

Applin for withdrawal

Under section 494 of the Code of Cr Pro. I the Pub. Pros. of Bangalore beg to state as follows

(1) That on the recall of the investigation made by the addl Dist Magte of Bangalore a charge sheet has been placed against the accused persons in the above case, proceedings are being held by this Court in respect of the offence or offences disclosed in the said charge sheet.

2. The Govt believe that the time has now arrived for taking measures to allay public excitement around & the events connected with the recent disturbances in Bangalore & to restore general harmony & normal conditions of life in the city. As a part of these peacepreserving measures they wish to discontinue further proceedings in the above case, & have directed the Dist Magte, Bangalore, to take the necessary action in the matter

3. The Dist Magte has accordingly instructed me to withdraw from the prosecution of the accused persons in the said case.

4. I beg that in the above circumstances this Court may be pleased to accord its Consent to such withdrawal & pass the necessary Consequential orders in this matter.

JN I

30-12-28

Confidential.

To

The District Magistrate
(In charge)
Bangalore District.

Dear Sir,

I am desired to state that Govt. desire that all the cases lodged against the Hindus in connection with the recent disturbances in Bangalore, should be withdrawn formally when the court reopens on the 2nd January 1929. The Public Prosecutor may be instructed to present an application in the following terms:--

(Here enter DeWan's Note)

Needful instructions may be issued in the matter.

Yours sincerely,

31/12/28

Chief Secretary.

Draft Submitted to Member for approval.

31/12/28

Rd & I St. Member of Council

31/12/28

I agree. As I have already stated would withdraw the ... Cases against the Mahomedans also A measure of peace should, I think make no exceptions.

31-12-28.

If approved, the draft letter to the Dist. Magte. Bgle. issue & file put up again for issue about the Mahdt. Cases

31/12/28

Issued as above 1/1/29

Law Secretary Confdl

for 1/1/29

Serial No.

CD 2502.

The Public Prosecutor filed the application for withdrawal today. I understand that one set of accused raised objections* & the Magistrate promised to pass orders tomorrow. It is expected that all the other accused are likely to be discharged tomorrow

RB 21.1.29

Dewan

DEWAN'S OFFICE
31 JAN. 1928
No.....

* on the ground, among others, that similar treatment should be given to the remaining accused.

Dewan
21-1-29

RB
RB
31/1/29
MMR

GBPM—500—25-10-28

General and Revenue Secretariat	File No.	of 192 25

Serial No.

7145/9/1

Subject. -

Withdrawal of prosecutions against Hindus in connection with the Bangalore disturbances.

Confidential D.O. dated 29th Decr. 1928 From the Private Secretary to His Highness and the Dewan's orders thereon.

Submitted to Third Member for perusal.

Chief Secretary.
8th January 1929.

9.1.29

Do Law dept with compliments as advised

9/1

In view of the Govt policy enunciated in para 2 of the application for withdrawal of cases which the Pub: Prosr filed in the Court & which has been published to Communities upon in the Newspapers, it seems to be desirable to take further action regarding the question of the withdrawal of the case against the Maharaswamy. Hence seems to be

NOTE—Contn. sheet

General and Revenue Secretariat. | File No. of 192

Serial No.

presently pointed that the cases against the Muslim accused should take their normal course

—kk
10.1.28

Now that the cases against the Hindus have been withdrawn I think the same principle should be applied to the other cases also & they should also be withdrawn.

CSS
10/1/28

First Member

ww
13/1

As I have already stated I am in favour of withdrawing all Cases but there is one point to be Considered. The present proposal will be Viewed as one more step to Save Mr. Abbas Khan. I have not been able to understand Why no action was taken against him along with the other Mussalman accused. From the material furnished in the Vissvanath Committee Report I find it difficult to believe that Mr. Abbas Khan could have been ignorant of the happenings in his own house

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat. | File No. of 192 .

Serial No.

The evidence placed before the Committee and the Conclusions drawn by it lead one to believe that he could not be innocent. If action had been taken against him along with the other accused the withdrawal of the Case would have been a much easier course and also not liable to be misunderstood, as it will, in all probability, be now.

Wyle
13/1/29

Dewan

Nil.
14/1

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat

File No (15) 2818-22 of 192 .
2838

Serial No.

DEWAN'S OFFICE.
30. JAN 1929
No. 3144.

From the Mutavallis of 5 mosques in Bangalore City

Forward Copies of resolutions passed at a meeting of the Musalmans held in the mosques on 25th Jan. 1929, protesting against the non-withdrawal of the criminal case pending against Musalmans.

Sd
29/1

Hon'ble Member & Dewan Mongh Lay Esq

7944/2911

1) No question of withdrawing the case against the Mahamedans has already been raised

Dewan
29/1

2) Fwd. Mem. Representations since Resd. are also submitted

Hm
30/1/29.

May, if the Dewan approves, be considered at the meeting of Council on the 31st inst.

29.1.29

Dewan.

RG
30/1/29

Hm
31-1-29

WD 021—GPB—30,000—21-8-28

15 2838

Subject:-

Withdrawal of prosecutions against Mussalmans.

OPINION OF THE COUNCIL.

4) The 3rd Member may speak for the Deputy Minister and then the matter stands. RB 31/1/29

5) For favour of necessary RB 31/1/29.

3rd Member

6) I take the Deputy Minister's instructions to give me his views tomorrow. 31/1/29

P.A. Read

7) The Deputy Minister's letter received is placed below. I think the case against the Muslim accused might also be withdrawn. 4.2.29

Secretary

8) I agree. Legal Member 7/2

5996/26 4-2-29

9) Case for perusal 7/2

Hon'ble Member Legal Secretary Secretary 6.2.29 7.2.29

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Re withdrawal of prosecution against Mahmadans.

10) The Dewan has told me that ales might be communicated just before the case is taken up. A the case is taken up. (Please. the date of hearing is not fixed)

11) + Transcripts

12) Action may be taken as suggested under your instructions received and stated below. pencil

Chief Secy with compts

13) I also understood that the Devaus' attachm was to commence Mr. Crosthwaite a day or two before the next hearing Date ?

Action will be taken accordingly

Dewan

7.2.25

14) Invoices to be kept carefully with compliments for information and necessary action

N. B.—Should routine notes be written on small slips the notes must be cipoed, or slips pasted on this form

General and Revenue Secretariat. | File No. of 192 .

Serial No. 15) To Law — secy with compliments for favour of taking necessary action

Secy
8/2

16) Draft letter to the Hble Master appointing 3rd member, & submitting for orders

Secy
9/2

Secy
6066
9/2

2nd member

Secy
9/2

Secy
9/2

Dewan

Secy
9.2.25

With reference to para 11 supra: to have the date verified, I addressed a D.O. to the Hble Master on the 9th inst, and he writes in reply that the date of it is 14th inst. His reply is also placed in the file.

Secy
11/2

No case against the Mahammedans was for the 14th inst. The Hble Master has not reported to Govt about the reasons of the action taken by him. I have ascertained from independent sources that Mr Dobbs filed an application for permission to withdraw the case & the Court granted the permission & discharged the accused, and this fact is also published in the papers.

I sent a D.O. to the Hble Master

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28.

Withdrawal of cases

App. F. III. 21

General and Revenue Secretariat.

File No. of 192 .

Serial No.

on the 16th inst. to expunge the record of the action taken by him; but no reply has yet been received.

P.M.
1912

3rd Member.

Can anything further be done towards withdrawal

C.S.O. 1912

Do. No. 417 = 28-29 from D.C. Bangalore reporting the withdrawal of cases.

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

Sir
deliver personally in office (Pub)
the Cover at 11 A.m.
& P.m. 1/1/29
Immediate

To

The Pub: Prosr has
come from Nongpoh today
& reports to the District Magistrate
Baingabre District
Baingabre.
personally & hands
to him what has
been done in the matter
P.m.

2.1.29

1/1/29

From
The Secretary
Law Dept
1/1/29

R.S
2/1/29

Immediate.

1st January 1929.

Dear Sir,

I am desired to state that Government desire that all the cases lodged against the Hindus in connection with the recent disturbances in Bangalore should be withdrawn formally when the court reopens on the 2nd January 1929. The Public Prosecutor may be instructed to present an application in the following terms:--

(Ⓐ Vide memo attached.)

Needful instructions may be issued in the matter.

Yours sincerely,

(Sd) P. Mahadevappa.
Secretary to Government,
Law Department.

To

The District Magistrate,
(In charge)
Bangalore.

Application for withdrawal.

Under Section 494 of the Code of Cr. Pro., I the Public Prosecutor of Bangalore, beg to state as follows-

(1) That as the result of the investigation made by the Additional District Magistrate of Bangalore a charge sheet has been placed against the accused persons in the above case/ and proceedings are being held by this Court in respect of the offence or offences disclosed in the said charge sheet.

(2) The Government believe that the time has now arrived for taking measure to allay public excitement roused by the events connected with the recent disturbances in Bangalore and to restore general harmony and normal conditions of life in the City. As a part of these pacificatory measures they wish to discontinue further proceedings in the above case/ and have directed the District Magistrate, Bangalore, to take the necessary action in the matter.

(3) The District Magistrate has accordingly instructed me to withdraw from the prosecution of the accused persons in the said case.

(4) I beg that in the above circumstances the Court may be pleased to accord its consent to such withdrawal and to pass the necessary consequential orders in the natter.

CB

From

CB 2818

The Mutavalli,
Kalasipalyam Mosque
Bangalore City.

To

The Chief Secretary
to the Govt. of His Highness
The Maharaja of Mysore
BANGALORE.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Musalmans of the Kalasipalyam Mohalla assembled at the Kalasipalyam Masjid protesting against the non withdrawal of the criminal case pending against the Musalmans and ~~the~~ (5) requested that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain
Sir
Yours most obedient servant,
(Sd) Mirza Mohiden Baig
Mutavalli.

Bangalore)
25th Jan 1929.

Resolution adopted at meeting of Musalmans held in the mosque of Kalasipalyam Mohalla Bangalore City on the 25th Jan 29.

"That this meeting of Musalmans, assembled in the mosque of Khalasipalyam ~~Mohalla~~ Bangalore City at 2.30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against members of that community while case against the Musalmans, is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Musalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves, that the Government be invited to treat the Musalmans in Statesman, manner and show to them also the same indulgence as shown to their Hindu brethern and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the throne of the H.H.Maharaje and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for H.H. the Maharaja and His - representatives."

(True translation)

Bangalore
25th Jan 1929.

(Sd) Mirza Mohidin Baig

True translation,

Muthavalli.

CB 28/9

From CHIEF SECRETARY, 29 JAN. 1929

The Mutavalli,
Masjidai Jamathai Lababieun Sahebano
New Shreepet,
Bangalore City.

To

The Chief Secretary
to the Govt. of His Highness
The Maharaja of Mysore
BANGALORE.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 26th January 1929 by the Musalmans of the Chamrajpet Mohalla assembled at the new Shreepet's mosque ~~regd~~ protesting against the non withdrawal of the criminal case pending against the Musalmans and ~~the~~ to requested that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain

Sir

Yours most obedient servant,

S/d P. Haji Podsha Saheb & Co.
Mutavalli.

Bangalore)
26th Jan 1929.

S/d Mirza Fakirsahadred & Co.
Mutavalli

Resolution adopted at meeting of Muslimans held in the mosque of Hue Khayyat ~~Mohalla~~ Bangalore City on the 29th Jan 30.

"That this meeting of Muslimans, assembled in the mosque of Hue Khayyat ~~Mohalla~~ Bangalore City at 3.30 P.M. on the 29th January 1930 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against members of that community while case against the Muslimans, is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Muslimans although the Hindus were against us in the matter of attacking Muslimans Gosha carts and Dunjis and causing a panic in the Muslim Mohalla and assaulting several Muslimans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves, that the Government be invited to treat the Muslimans in Statesman, manner and show to them also the same indulgence as shown to their Hindu brethern and be generous enough to withdraw the case, pending against them, who were more victim than aggressors and belonging to a community whose loyalty to the throne of the H.H.Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for H.H. the Maharaja and His representatives."

(True translation)

Bangalore
29th Jan 1930.

S/d S. Haji Pasha Saheb & Co
Muthavalli.

S/d Mirza Fakir Mohamed & Co
Muthavalli.

CB 2810

CHIEF SECRETARY
29 JAN 1929

From

The Mutavalli,
Masjid ai Lakori Shori Sahib
Cottonpet.
Bangalore City.

To

The Chief Secretary
to the Govt. of His Highness
The Maharaja of Mysore
BANGALORE.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Musalmans of the Cottonpet Mohalla, Eid assembled at the Lakori Shori's Masjid protesting against the non withdrawal of the criminal case pending against the Musalmans and ~~the~~ to requested that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain

Sir

Yours most obedient servant,

S/d Syed Shah Ameer-ul-Hasho
Mutavalli.

Bangalore)
25th Jan 1929.

Resolution adopted at meeting of Musalmans held in the mosque of Lukos Shahs ~~Mohalla~~ Masjid Bangalore City on the 25th Jan 20.

"That this meeting of Musalmans, assembled in the mosque of Lakos Shah ~~Mohalla~~ Bangalore City at 2.30 P.M. on the 25th January 1920 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against members of that community while case against the Musalmans, is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Masjid and causing a panic in the Muslim Mohalla and assaulting several Musalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves, that the Government be invited to treat the Musalmans in Statesman, manner and show to them also the same indulgence as shown to their Hindu brothern and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the throne of the H.H.Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for H.H. the Maharaja and His - representatives."

(True translation)

Bangalore
25th Jan 1920.

S/d Syed Shah Ameer-ul-Mohk
uthavalli.

CB 284

From

The Mutavalli,

Masjid-Jamathe-Lalabeen Avenue Road,

Bangalore City.

CHIEF SECRETARY
29 JAN. 1929

To

The Chief Secretary

to the Govt. of His Highness

The Maharaja of Mysore

BANGALORE.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Musalmans of the Jamathe-Lalabeen assembled at the Lalabagh Masjid protesting against the non withdrawal of the criminal case pending against the Musalmans and requested that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain

Sir

Your most obedient servant,

Sd/- K. Najmuddin
Mutavalli

Bangalore)
23th Jan 1929.

Mutavalli Hakk.

Sd/- K. Hajee Abdur Rahman
Mutavalli

Resolution adopted at meeting of Musalmans held in the mosque of Jamath Lalbagh ~~Mohalla~~ Bangalore City on the 25th Jan 29.

"That this meeting of Musalmans, assembled in the mosque of Lalbagh ~~Mohalla~~ Bangalore City at 2.30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against members of that community while case against the Musalmans, is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Musalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves, that the Government be invited to treat the Musalmans in Statesman, manner and show to them also the same indulgence as shown to their Hindu brethern and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the throne of the H.H.Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for H.H. the Maharaja and His - representatives."

(True translation)

Bangalore
25th Jan 1929.

Sd/- K. Nazimuddin
Muthavalli

Sd/- K. Haje Abdur Rahiman
Muthavalli

CR 282

CHIEF SECRETARY'S OFFICE
29 JAN. 1929

From

The Mutavalli,
Mosjidai Bar Line
Mysore Road,
Bangalore City.

To

The Chief Secretary
to the Govt. of His Highness
The Maharaja of Mysore
BANGALORE.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1920 by the Musalmans of the Nizam-ud-deen Mohalla, assembled at the Bar Lines Masjid protesting against the non withdrawal of the criminal case pending against the Musalmans and to requested that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain

Sir

Yours most obedient servant,

s/d Abdul Jaleel
Mutavalli.

Bangalore)
25th Jan 1929.

Resolution adopted at meeting of Musalmans held in the mosque of Barkur's Mohalla Bangalore City on the 25th Jan 29.

"That this meeting of Musalmans, assembled in the mosque of Barkur ~~Mohalla~~ Bangalore City at 2.30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against members of that community while case against the Musalmans, is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Musalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves, that the Government be invited to treat the Musalmans in Statesman, manner and show to them also the same indulgence as shown to their Hindu brethern and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the throne of the H.H.Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for H.H. the Maharaja and His - representatives."

(True translation)

Bangalore
25th Jan 1929.

S/d Abdul Ghafoor.
Muthavalli.

From

The Mutavalli,
Mavahalli
Bangalore City.

To

The Chief Secretary,
to the Government of His Highness
the Maharaja of Mysore, Bangalore.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Musalmans of the Mavalli Mohalla assembled at the Masjid protesting against the non-with-draval of the criminal case pending against the Musalmans and requesting that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain, Sir,
Your most obedient servant,

Paish Imam Syed Kulsumsa
for Mutavalli.

Bangalore,
25th January 1929.

RESOLUTION ADOPTED AT A MEETING OF MUSALMANS HELD IN THE MOSQUE OF MOHALLA, BANGALORE CITY, ON THE 25TH JANUARY 1 9 2 9.

"That this meeting of Musalmans, assembled in the mosque of Mohalla, Bangalore City, at 2-30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against the members of that community while case against the Musalmans is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Musalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohammedan community alone. This meeting further resolves that the Government be invited to treat the Musalmans in statesmanlike manner and show to them also the same indulgence as shown to their Hindu brethern, and be generous enough to withdraw the case, pending against them, who were more victims than aggressors, and belonging to a community whose loyalty to the Throne of His Highness the Maharaja and Government of Mysore, has been a marked feature of their attitude throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for His Highness the Maharaja and his representatives".

(True Translation)

Parishan Syed Sulaiman Sahib

Jt. Sd. Mutavalli.

Bangalore City,
25th January 1929

US. 2833

From

The Mutavalli,

Bangalore City.

To

The Chief Secretary

to the Government of His Highness

the Maharaja of Mysore, Bangalore.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Mussalmans of the Sultanpet Mohalla assembled at the Sir Khazi Saheb Masjid protesting against the non-withdrawal of the criminal case pending against the Mussalmans and requesting that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain,

Sir,

Your most obedient servant,

Abdul Razzak Chiff

Mutavalli.

Sir Khazi

Bangalore city

Bangalore

25th January 1929.

RESOLUTION ADOPTED AT A MEETING OF MUSSALMANS HELD IN THE MOSQUE OF Sultanpet MOHALLA, BANGALORE CITY, ON THE 25TH JANUARY 1929.

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"That this meeting of Musalmans, assembled in the Mosque of Sir Khazi Saheb, Sultanpet Mohalla, Bangalore City, at 2-30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against the members of that community while case against the Mussalmans is being proceeded with, It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Mussalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves that the Government be invited to treat the Musalmans in statesmanlike manner and show to them also the same indulgence as shown to their Hindu brethren and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the Throne of His Highness the Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for His Highness the Maharaja and His representatives."

(True Translation) Abdur Razzakh Khan

Mutavalli.
Sir Khazi
Bangalore
City

Bangalore City
25th January 1929.

CD. 2834

From

The Mutavalli,

Bangalore City.

To

The Chief Secretary

to the Government of His Highness

the Maharaja of Mysore, Bangalore.

CHIEF SECRETARY.
30 JAN. 1929

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Muscalmans of the Cottonpet Mohalla assembled at the Toukal Mustan Darga Masjid protesting against the non-withdrawal of the criminal case pending against the Muscalmans and requesting that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain,

Sir,

Your most obedient servant,

(Sd) H. Abdul Gafoor عبدالغفور

Mutavalli.

Bangalore

25th January 1929.

عبدالغفور

(Sd) H. M. Abdul Gafoor

Mutavalli

RESOLUTION ADOPTED AT A MEETING OF MUSSALMANS HELD IN THE MOSQUE OF Cottonpet MOHALLA, BANGALORE CITY, ON THE 25TH JANUARY 1929.

"That this meeting of Musalmans, assembled in the Mosque of Toukal mustan Darga Cottonpet Mohalla, Bangalore City, at 8-30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against the members of that community while case against the Mussalmans is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Mussalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves that the Government be invited to treat the Musalmans in statesmanlike manner and show to them also the same indulgence as shown to their Hindu brethren and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the Throne of His Highness the Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for His Highness the Maharaja and His representatives."

(True Translation)

Bangalore City
25th January 1929.

(Sd) H. Abdul Gafoor
(Sd) H. M. Abdul Gafoor
Mutavalli.

CB. 2835

From

The Mutavalli,
Masjid Ibrahim Shah Saheb Makan
Bangalore City.

To

The Chief Secretary
to the Govt. of His Highness
The Maharaja of Mysore
BANGALORE.

CHIEF SECRETARY.
0 JAN. 1929

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Musalmans of the Kumbarpet Mohalla assembled at the Ibrahim Shah Saheb Masjid protesting against the non withdrawal of the criminal case pending against the Musalmans and the requested that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain
Sir
Yours most obedient servant,
(Sd) Abdur Rahim عبدالرحیم متولی مسجد کمبارپیٹ
Mutavalli.

Bangalore)
25th Jan 1929.

Resolution adopted at meeting of Musalmans held in the mosque of Kumbarpet Mohalla Bangalore City on the 25th Jan 29.

"That this meeting of Musalmans, assembled in the mosque of Ibrahim Shah Sahib Kumbarpet Mohalla Bangalore City at 2.30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against members of that community while case against the Musalmans, is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Musalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves, that the Government be invited to treat the Musalmans in Statesman, manner and show to them also the same indulgence as shown to their Hindu brethern and be generous enough to withdraw the case; pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the throne of the H.H.Maharaje and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for H.H. the Maharaja and His - representatives."

(True translation)

Bangalore
25th Jan 1929.

(Sd) Abdur Rahim

عبدالرحیم متولی مسجد صاحب

Kuthavalli.

CB 2836

From

The Mutavalli,

Bangalore City.

To

The Chief Secretary

to the Government of His Highness

the Maharaja of Mysore, Bangalore.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Mussalmans of the Jaramandelf Mohalla assembled at the Jumma Masjid protesting against the non-withdrawal of the criminal case pending against the Mussalmans and requesting that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain,

Sir,

Your most obedient servant,

(Sd) Mohamed Fukhruddeen

Mutavalli.

Bangalore

25th January 1929.

RESOLUTION ADOPTED AT A MEETING OF MUSSALMANS HELD IN THE MOSQUE OF Jaramundel MOHALLA, BANGALORE CITY, ON THE 25TH JANUARY 1929.

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"That this meeting of Musalmans, assembled in the Mosque of Jumma Masjid, Jaramundel Mohalla, Bangalore City, at 8-30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against the members of that community while case against the Mussalmans is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Mussalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves that the Government be invited to treat the Musalmans in statesmanlike manner and show to them also the same indulgence as shown to their Hindu brethren and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the Throne of His Highness the Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for His Highness the Maharaja and His representatives."

(True Translation)

(Sd) Mohamed Fakhruddeen
Mutavalli.

Bangalore City
25th January 1929.

CS 2837

From

The Mutavalli,

Bangalore City.

To

The Chief Secretary

to the Government of His Highness

the Maharaja of Mysore, Bangalore.

CHIEF SECRETARY
30 JAN. 1929

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Mussalmans of the Nalbundvade Mohalla assembled at the Nalbundvade Masjid protesting against the non-withdrawal of the criminal case pending against the Mussalmans and requesting that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain,

Sir,

Your most obedient servant,

(Sd) Goolam Mahmood, غلام محمود

Mutavalli.

Bangalore

25th January 1929.

RESOLUTION ADOPTED AT A MEETING OF MUSSALMANS HELD IN THE MOSQUE OF Nalbundvadi MOHALLA, BANGALORE CITY, ON THE 25TH JANUARY 1929.

"That this meeting of Musalmans, assembled in the Mosque of Nalbundvadi Mohalla, Bangalore City, at 2-30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against the members of that community while case against the Mussalmans is being proceeded with, It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Mussalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves that the Government be invited to treat the Musalmans in statesmanlike manner and show to them also the same indulgence as shown to their Hindu brethren and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the Throne of His Highness the Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for His Highness the Maharaja and His representatives."

(True Translation) غلام محمود

(Sd) Goolam Mahmood

Mutavalli.

Bangalore City
25th January 1929.

CB 2838

From

The Mutavalli,

Bangalore City.

To

The Chief Secretary

to the Government of His Highness

the Maharaja of Mysore, Bangalore.

Sir,

I beg to submit herewith an English translation of the Hindustani resolution which was passed on the 25th January 1929 by the Mussalmans of the ~~Nalbundwadi~~ Jalli Mohalla assembled at the ~~Nalbundwada~~ Jalli Masjid protesting against the non-withdrawal of the criminal case pending against the Mussalmans and requesting that you will be pleased to place the resolution before the Government for favour of early orders.

I beg to remain,

Sir,

Your most obedient servant,

(Sd) Mohamed Imam متولی محمد امام

Mutavalli.

Bangalore

25th January 1929.

RESOLUTION ADOPTED AT A MEETING OF MUSSALMANS HELD IN THE MOSQUE OF Jalle MOHALLA, BANGALORE CITY, ON THE 25TH JANUARY 1929.

"That this meeting of Musalmans, assembled in the Mosque of Jalle Mohalla, Bangalore City, at 3-30 P.M. on the 25th January 1929 do register its emphatic protest against the attitude of the Government in evincing obvious partiality against one community alone and in ordering the withdrawal of cases against the members of that community while case against the Musalmans is being proceeded with. It has caused great concern and pain in the hearts of the loyal community of Musalmans although the Hindus were against us in the matter of attacking Musalmans Gosha carts and Musjid and causing a panic in the Muslim Mohalla and assaulting several Musalmans, in such a way as to cause serious and permanent injuries.

That the Government should persist in penalising the members of the Mohamedan community alone. This meeting further resolves that the Government be invited to treat the Musalmans in statesmanlike manner and show to them also the same indulgence as shown to their Hindu brethren and be generous enough to withdraw the case, pending against them, who were more victims than aggressors and belonging to a community whose loyalty to the Throne of His Highness the Maharaja and Government of Mysore has been a marked feature of their attitude, throughout the history of the State and prays that the Government will be pleased to respond in a fitting manner to their feelings of profound regard and affection for His Highness the Maharaja and His representatives."

(True Translation)

(sd) Mohamed Imam

Mutavalli.

Bangalore City
26th January 1929.

CONFIDENTIAL.

D. O. No.C.C.417/28-29.
Encl. One.

District Magistrate,
OFFICE OF THE [illegible]
BANGALORE DISTRICT,

Dated Bangalore, the 4th February 1929.

My dear Sir,

I enclose letter in original received from the City Magistrate re: the case against the Mahomedans. What I said in my letter No.C.134/28-29 dated 17th December 1928 to the Chief Secretary with regard to the withdrawal of the case against the Hindus applies with equal force to the case against the Mahomedans.

Yours sincerely,

S B Ketkar

Rajamantrapravina
K. Matthan, Esq., B.A.,
Member of Council,
Bangalore.

Recd
1-2-29
8 PM

Bangalore
1-2-29.

Dear Sir

Out of 111 witnesses
cited 54 have been examined
Out of the remaining 57
witnesses only 30 will
be examined

Yours truly

G. B. Kelkar
D. Mangeshkar

D.O. Office of the District Magistrate,
Bangalore District,

Bangalore, dated 11th February 1929.

Dear Mr. Mahadevayya,

D.O.

With reference to your/letter of the 9th instant I write to state that the case against the Mahomedans is posted for hearing to the 14th instant.

Yours sincerely,

S Bheemkar

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

563 P 12.2.29

Dear Mr Hobibhai,

As Govt have decided to withdraw the case against the Mahammedans also, I am directed to request you to give necessary instructions to the Prosecuting Police to withdraw the case against the Mahammedans on the 14th inst after obtaining the consent of the court.

An application may also be caused to be filed for the purpose under S. 494 Cr. P. C., if necessary.

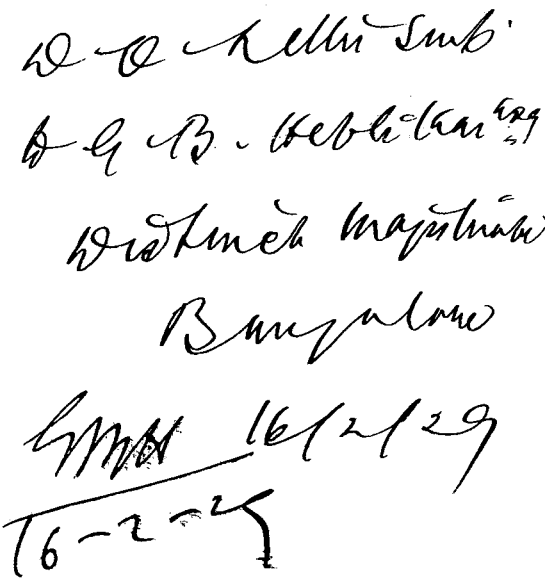
Yours Sincerely,

encl:- No. 565 dt 16.2.29 of the Dy. Magte requesting for a report about the interest of the petitioner in the case

N. B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

9/2

9/2.2.29



No. 402/28-29

Bangalore
18-2-1929

From

The public prosecutor,
Bangalore

To

The Legal Remembrancer
and Secretary to Government
RO 18/2/29 Law Department, Bangalore

Sir,

I have the honour to report as follows:-

In accordance with instructions received I attended the city Magistrate's Court, Bangalore on 14-2-1929 and watched the case C.C 218/28-29 against the Mohamedans. The prosecuting Inspector filed an application for withdrawal of the case. All the accused were discharged. The matter was immediately reported by me. On 15.2.29 I attended the court of Honorary Bench of First class Magistrates when the question of privilege put forward by prosecution witnesses namely, the chief Secretary and Mr. Varonda was argued by Messrs. Khaleel and Seshachar. The learned Counsel for prosecution Mr. Seshachar contended that "in Camera" evidence could not be privileged and that the Government could not treat that evidence as coming under Section 123 of the Evidence Act and that the notification issued by the Government affected only the minutes of the proceedings of the Committee and not the evidence. The case is posted to 25th instant for orders and also for the further examination

of the witnesses. The matter was reported by me to your office immediately.

I have the honour to be,
Sir,
your most obedient Servant,

B. N. V. Deva.
public prosecutor,
Bangalore

CONFIDENTIAL.

D.O. No.C.C.417
28-29

Office of the District Magistrate,
Bangalore District,

Bangalore, dated 21st February 1929.

Dear Mr. Mahadevayya,

With reference to your D.O. letter No.565/P. dated 16th February 1929, I write to inform you that the case against the Mahammadans was withdrawn on the 14th instant.

Yours sincerely,